

MOTION BY SUPERVISOR YVONNE B. BURKE

September 19, 2006

On May 23, 2006 the Board requested that the Chief Administrative Officer, Director of Personnel and County Counsel report back on the feasibility of removing the record of convictions from the County's employment application. Unfortunately, the report's findings were inconclusive. However, I urge the Board to not leave this pressing issue unresolved. Of the formerly incarcerated, 70-80% are unemployed. If our system intends to uphold the belief that people can be rehabilitated, it is to our advantage to have them become reintegrated, tax-paying citizens. Of course we should ultimately conduct a background check on any employee we intend on hiring, but this does not need to happen upfront. By asking for any conviction, whether it is a misdemeanor or a felony during the initial application, we discourage potentially capable workers from even applying for County jobs. Obviously, certain positions within the County merit higher scrutiny in their hiring practices, namely the Sheriff's Department, District Attorney, Probation Department and other county departments deemed to possess valuable goods and information. The bottom line is that there are many opportunities within the County where this population should be encouraged to apply.

- M O R E -

MOTION

MOLINA	_____
BURKE	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____

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Both Boston and San Francisco have already eliminated questions regarding former convictions from their respective applications, and seven other jurisdictions are considering this change. I thereby encourage us to follow this lead.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS: Request the Chief Administrative Officer, Director of the Department of Human Resources and County Counsel to eliminate any questions related to criminal convictions from employment applications effective January 1, 2007; and

I FURTHER MOVE THAT THE BOARD OF SUPERVISORS: Mandate each department to conduct a background check commensurate with job offer and require all departments to keep records on applications that were rejected as a result of criminal conviction history; and jointly report back on a quarterly basis on a status report of implementation for 1 year.

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